HON'BLE SRI JUSTICE L. NARASIMHA REDDY

Writ Petition No.10729 of 2006

Between:

Nagaveti Lalitha … Petitioner.

And

The District Collector, Chittoor,

Chittoor District and another.

… Respondents

May 31, 2006

ORDER:

The vendor of the petitioner was granted patta in respect of Ac.9.00 in R.S.No.6 of Mangalam village, Tirupati (Urban) Mandal, Chittoor District under the provisions of the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948, on 30-12-1986. The petitioner purchased the said land on 23-9-1993. In the meanwhile, the second respondent, Mandal Revenue Officer, Tirupati (Urban) Mandal filed a revision against the order dated 30-12-1986. The revision was allowed. The petitioner filed a further revision before the Chief Commissioner of Land Administration, Hyderabad. Complaining that the stay petition was dismissed in the further revision, the petitioner filed Writ Petition No.26636 of 2003. This Court disposed of the said writ petition directing that the proceedings pursuant to the cancellation of patta and in particular the implementation of the same in the Revenue records be stayed till the disposal of the revision. The petitioner complains that the respondents are now trying to dispossess him from the land.

Learned counsel for the petitioner submits that there exists standing crop even while this Court passed the order and it is in force now.

Learned Government Pleader for Revenue, on the other hand, submits that the land in Sy.No.6 is a tank bed poramboke and no patta could have been granted in respect of the same.

It is not possible for this Court to undertake discussion of the matter on merits at this stage. The limited controversy is as to whether the respondents are entitled to dispossess the petitioner even while the further revision filed by him is pending. On earlier occasion, an order was passed in Writ Petition No.26636 of 2003 directing that the further proceedings in pursuance of the cancellation of the patta shall remain stayed.

Therefore, the writ petition is disposed of directing that the respondents shall not take any steps detrimental to the interest of the petitioner including dispossession till the further revision filed by him is disposed of. It is also directed that the petitioner shall not undertake any construction over the land or otherwise alter its nature. He is also prohibited from transferring any part of the said land or creating encumbrances of any kind over it.

L.NARASIMHA REDDY, J.

May 31, 2006.

ARS